

## Message Text

UNCLASSIFIED

PAGE 01 DUBAN 00209 311434Z  
ACTION SCS-06

INFO OCT-01 AF-10 ISO-00 JUSE-00 CA-01 SSO-00 /018 W  
-----059063 311451Z /47

O 311400Z MAR 78  
FM AMCONSUL DURBAN  
TO SECSTATE WASH DC IMMEDIATE 2880

UNCLAS DURBAN 209

EO 11652: NA  
TAGS: CGEN, SF  
SUBJECT: U.S. VS. JAMES G. RYAN

REF: STATE 78816

1. WE HAVE CONTACTED BOTH ETTLER AND VAN DER POL. ETTLER  
CONFIRMS WILLINGNESS ATTEND TRIAL. HE WOULD PREFER TO TRAVEL TO US  
LEAVING SOUTH AFRICA FRIDAY APRIL 21 AND LEAVE US LATE APRIL 25.

2. DR. VAN DER POL UNABLE TO DECIDE WHETHER TO GIVE EVIDENCE  
IN US AND REQUIRED FURTHER INFORMATION. IN PARTICULAR HE  
REQUIRES DETAILS OF CHARGES RYAN FACES, AND NATURE OF EVIDENCE  
HE WOULD BE REQUIRED TO GIVE. HIS RESERVATIONS ARISE LARGELY  
FROM CONCERN THAT HE DOES NOT WANT TO PUBLICIZE CERTAIN ASPECTS  
OF HIS COMPANY'S AND SOUTH AFRICA'S ATTEMPTS TO ESTABLISH MARKETS  
IN SAUDI ARABIA AND NIGERIA, BUT HE ALSO WISHES TO KNOW DETAILS  
IN ORDER TO INFORM HIS FIRM'S US ATTORNEYS SO THEY MAY  
ADVISE HIM ON TESTIMONY.

3. AN ADDITIONAL PROBLEM IS FLIGHT ROUTING. THE REGULATIONS  
PRESUMABLY REQUIRE THAT THE WITNESSES TRAVEL US FLAG CARRIER  
IN TOURIST CLASS. PAN AM FROM JOHANNESBURG TO NEW YORK WITH A  
CHANGE-OVER IN RIO IS A LONGER AND LESS PREFERRED ROUTE FOR  
SOUTH AFRICANS THAN SOUTH AFRICAN AIRWAYS DIRECT FLIGHT FROM  
JOHANNESBURG TO NEW YORK. ALSO PANAM ONLY FLIES  
JOHANNESBURG/RIO TWICE A WEEK AND WHILE THEIR WESTBOUND LEG IS  
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PAGE 02 DUBAN 00209 311434Z

ON SATURDAYS, AND THEREFORE MORE SUITABLE FOR THE WITNESSES WHO  
MUST BE IN NEW YORK FOR TESTIMONY ON A MONDAY, THE EASTBOUND  
(RETURN FLIGHTS) ARE ONLY ON TUESDAYS (TOO SOON) OR FRIDAYS  
(TOO LATE) FOR THEIR CONVENIENCE. BOTH MEN, AS BEFITTING  
THEIR SENIOR POSITIONS, ARE ACCUSTOMED TO FLYING FIRST CLASS  
AND MAY OBJECT TO FLYING TOURIST.

4. ACTION REQUESTED:

(A) PLEASE PROVIDE DETAILS OF CHARGES AGAINST RYAN AND  
SCOPE OF TESTIMONY REQUIRED OF VAN DER POL;

(B) PLEASE ADVISE IF WITNESSES CAN USE NON-AMERICAN FLAG  
CARRIERS EITHER ONE (WE CONSIDER THIS ESSENTIAL) OR BOTH DIREC-  
TIONS, AND

(C) IF PRESSED BY THEM, MAY WE OFFER FIRST CLASS SEATS. FUGIT

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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**Disposition Comment:**  
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**TAGS:** CGEN, SF, (RYAN, JAMES G)  
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